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For the Practice of Allopathic Medicine
In the State of Arizona.

ORDER FOR LETTER OF REPRIMAND AND PROBATION AND CONSENT TO SAME THE CONSENT

FINDINGS OF FACT

4. On March 13, 2009, Respondent began treating BK for various medical issues that included alcohol and benzodiazepine abuse and opiate withdrawal. Respondent treated BK with Phenobarbital, Vistaril, and Clonidine and later added oral Suboxone to her treatment regimen. There was no documentation of the induction phase of Suboxone and the effects of the medication on BK. There also was no documentation of a detailed substance abuse history, whether Respondent obtained BK's previous treatment records, or whether he had her sign an opioid substance treatment agreement. Additionally, several progress notes in the record were illegible.

1 5. On April 17, 2009, Respondent went to a bar where BK was employed, drank
2 alcoholic beverages with her, and later asked her to drive him home. On May 30, 2009, BK
3 presented to a medical center and received treatment for opiate related and alcohol
4 withdrawal. During an investigational interview with Board Staff on June 16, 2009,
5 Respondent admitted that he offered BK a drink at the bar while he was treating her for
6 addiction.

7 6. The standard of care requires a physician to maintain appropriate boundaries
8 in patient/physician relationship and when treating a patient with addictive disorders to
9 advise the patient to avoid consuming alcohol. When treating a patient with opiate
10 withdrawal symptoms the standard of care in Suboxone induction requires a physician to
11 avoid prescribing ancillary medications prior to initiation of it and to prescribe Suboxone
12 sublingually.

13 7. Respondent deviated from the standard of care because he did not maintain
14 appropriate boundaries in his patient/physician relationship with BK and he did not advise
15 BK to avoid consuming alcohol. Respondent also deviated from the standard of because
16 he did not avoid prescribing ancillary medications to BK prior to Suboxone induction and
17 he did not prescribe Suboxone sublingually.

18 8. BK may potentially have difficulty trusting other physicians in the future.
19 Additionally, there was potential for treatment failure.

20 9. A physician is required to maintain adequate legible medical records
21 containing, at a minimum, sufficient information to identify the patient, support the
22 diagnosis, justify the treatment, accurately document the results, indicate advice and
23 cautionary warnings provided to the patient and provide sufficient information for another
24 practitioner to assume continuity of the patient's care at any point in the course of
25 treatment. A.R.S. § 32-1401(2). Respondent's records were inadequate because several

1 progress notes in the record were illegible; there was no documented induction phase of
2 Suboxone or the effects of the medication on BK, no documented detailed substance
3 abuse history, whether Respondent obtained BK's previous treatment record or whether
4 he had her sign an opioid substance treatment agreement.

5 CONCLUSIONS OF LAW

6 1. The Board possesses jurisdiction over the subject matter hereof and over
7 Respondent.

8 2. The conduct and circumstances described above constitute unprofessional
9 conduct pursuant to A.R.S. § 32-1401(27)(e) ("[f]ailing or refusing to maintain adequate
10 records on a patient.") and A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or
11 might be harmful or dangerous to the health of the patient or the public.").

12 ORDER

13 IT IS HEREBY ORDERED THAT:

14 1. Respondent is issued a Letter of Reprimand.

15 2. Respondent is placed on probation for **one year** with the following terms and
16 conditions:

17 a. Respondent shall within **six months** of the effective date of this Order
18 obtain **15 - 20 hours** of Board Staff pre-approved Category I Continuing Medical
19 Education (CME) in a **comprehensive boundaries course**. Respondent shall provide
20 Board Staff with satisfactory proof of attendance. The CME hours shall be in addition to
21 the hours required for the biennial renewal of medical license. The probation shall
22 terminate upon successful completion CME.

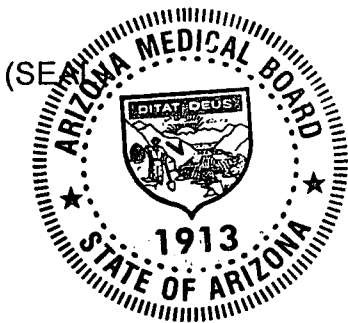
23 b. Obey All Laws

Respondent shall obey all state, federal and local laws, all rules governing the practice of medicine in Arizona, and remain in full compliance with any court ordered criminal probation, payments and other orders.

c. Tolling

In the event Respondent should leave Arizona to reside or practice outside the State or for any reason should Respondent stop practicing medicine in Arizona, Respondent shall notify the Executive Director in writing within ten days of departure and return or the dates of non-practice within Arizona. Non-practice is defined as any period of time exceeding thirty days during which Respondent is not engaging in the practice of medicine. Periods of temporary or permanent residence or practice outside Arizona or of non-practice within Arizona, will not apply to the reduction of the probationary period.

DATED AND EFFECTIVE this 14TH day of APRIL, 2010.



ARIZONA MEDICAL BOARD

By [Signature]
Lisa S. Wynn
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges he has the right to consult with legal counsel regarding this matter.

2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge

1 this Order in its entirety as issued by the Board, and waives any other cause of action
2 related thereto or arising from said Order.

3 4. The Order is not effective until approved by the Board and signed by its
4 Executive Director.

5 5. All admissions made by Respondent are solely for final disposition of this
6 matter and any subsequent related administrative proceedings or civil litigation involving
7 the Board and Respondent. Therefore, said admissions by Respondent are not intended
8 or made for any other use, such as in the context of another state or federal government
9 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
10 any other state or federal court.

11 6. Upon signing this agreement, and returning this document (or a copy thereof)
12 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
13 the Order. Respondent may not make any modifications to the document. Any
14 modifications to this original document are ineffective and void unless mutually approved
15 by the parties.

16 7. This Order is a public record that will be publicly disseminated as a formal
17 disciplinary action of the Board and will be reported to the National Practitioner's Data
18 Bank and on the Board's web site as a disciplinary action.

19 8. If any part of the Order is later declared void or otherwise unenforceable, the
20 remainder of the Order in its entirety shall remain in force and effect.

21 9. If the Board does not adopt this Order, Respondent will not assert as a
22 defense that the Board's consideration of the Order constitutes bias, prejudice,
23 prejudgment or other similar defense.

24 10. Any violation of this Order constitutes unprofessional conduct and may result
25 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,

1 consent agreement or stipulation issued or entered into by the board or its executive
2 director under this chapter") and 32-1451.

3 11. Respondent acknowledges that, pursuant to A.R.S. § 32-2533(E), he cannot
4 act as a supervising physician for a physician assistant while his license is under
5 probation.

6 12. ***Respondent has read and understands the conditions of probation.***

7
8 
9 JAMES D. LOO, M.D.

DATED: 1/22/10

10 EXECUTED COPY of the foregoing mailed
11 this 12th day of January, 2010 to:

12 Daniel P. Jantsch
13 Olson, Jantsch, & Bakker, P.A.
14 7243 16th Street
15 Phoenix, Arizona 85020-7250

16 ORIGINAL of the foregoing filed
17 this 15th day of January, 2010 with:

18 Arizona Medical Board
19 9545 E. Doubletree Ranch Road
20 Scottsdale, AZ 85258

21 
22 Arizona Medical Board Staff
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